

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

TIMOTHY FOX, a/k/a ROBERT)	
MARVIN FOX, JR.,)	
)	
Petitioner,)	
)	
v.)	CV 109-097
)	
CIRCUIT COURT OF TENTH JUDICIAL)	
CIRCUIT COURT IN AND FOR)	
POLK COUNTY, FLORIDA; BILL)	
MCCOLLUM, Attorney General of Florida;)	
CHARLIE CRIST, Governor of Florida;)	
ALETHEA BROWN, Florida Dep't of)	
Corr. Probation Officer; VICTOR)	
WALKER, Warden; and THERMOND)	
BAKER, Attorney General of Georgia,)	
)	
Respondents.)	

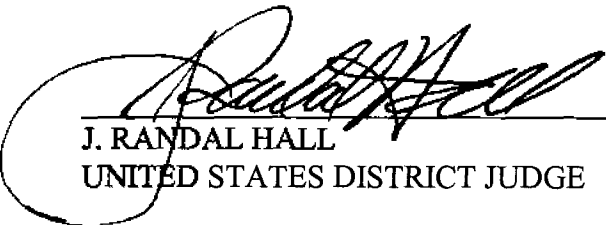
ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed.¹ Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of

¹The deadline for filing objections to the Report and Recommendation was October 16, 2009. (See doc. no. 5). Petitioner executed a motion for extension of time to file his objections on October 13, 2009, and then executed his objections on October 16, 2009. (See doc. nos. 6 & 7). While Petitioner's objections were not filed with the Clerk of Court until approximately a week later, because Petitioner executed his objections on the day of the deadline, his objections are considered timely, see Houston v. Lack, 487 U.S. 266, 276 (1988); Adams v. United States, 173 F.3d 1339, 1341 (11th Cir. 1999) (*per curiam*), and have been considered by the Court. Thus, his motion for an extension of time is **MOOT**. (Doc. no. 6).

the Court. Therefore, the motion for a hearing is **DENIED** (doc. no. 3), the petition is **DISMISSED**, and this civil action is **CLOSED**.

SO ORDERED this 26th day of October, 2009, at Augusta, Georgia.



J. RANDAL HALL
UNITED STATES DISTRICT JUDGE